

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES KERN,

Plaintiff,

v.

SACRAMENTO POLICE
DEPARTMENT, et al.,

Defendants.

No. 2:23-cv-00560-DJC-JDP (PC)

ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On September 28, 2023, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice to Plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff has filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be

1 supported by the record and by proper analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations filed September 28, 2023, are adopted
4 in full;

5 2. This action is dismissed pursuant to the abstention doctrine in *Younger v.*
6 *Harris*, 401 U.S. 37 (1971);

7 3. Plaintiff's request for forms (ECF No. 12) is DENIED as moot; and

8 3. The Clerk of Court is directed to close this case.

9
10 IT IS SO ORDERED.

11 Dated: **November 17, 2023**


Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE